

REQUIRES MONITORING  
OR STAFF ACTION \_\_\_\_\_

## COMMISSION DIRECTIVE

ADMINISTRATIVE MATTERS	<input type="checkbox"/>	DATE	<u>July 19, 2005</u>
MOTOR CARRIER MATTERS	<input type="checkbox"/>	DOCKET NO.	<u>2004-280-C - -</u>
UTILITIES MATTERS	<input checked="" type="checkbox"/>		_____

**SUBJECT:**

DOCKET NO. 2004-280-C - Time Warner Cable Information Services (South Carolina), LLC d/b/a Time Warner Cable – Application to Amend its Certificate of Public Convenience and Necessity to Provide Interexchange and Local Voice Services in Service Areas of Certain Incumbent Carriers who currently have a Rural Exemption. Hearing Held March 31, 2005. This matter is ready for Final Disposition.

**COMMISSION ACTION:**

Move that the original Application as filed be denied. It seeks certification in areas subject to the rural exemption, and there has been no hearing with regard to whether the rural exemption should be waived under Section 251 of the Telecommunications Act of 1996.

With regard to the Application as amended during the hearing, the Applicant seeks only the authority to enter into negotiations toward interconnection agreements with the local exchange companies under the rural exemption. Since this Commission already considers the Applicant to possess the ability to enter into these negotiations under Section 251 of the Telecommunications Act, the Commission recognizes this ability, and the Applicant may enter into such negotiations without further approval by this Commission.

Further, this Motion should not be construed as a ruling on the waiver of the rural exemptions in this case, since this issue was not before the Commission.

Lastly, with regard to Time-Warner's late-filed exhibit No. 1, **move that** we admit the exhibit into the evidence of this case, but that we note in the record of the proceeding the rural LEC's objection to the exhibit on the grounds stated in its May 5, 2005, letter.

PRESIDING	<u>Mitchell</u>	Session:	Regular
		Time of Session	<u>2:30 PM</u>
	MOTION	YES	NO
			OTHER
CLYBURN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FLEMING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
HAMILTON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MITCHELL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MOSELEY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WRIGHT	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			Absent
			APPROVED _____
			APPROVED STC 30 DAYS _____
			ACCEPTED FOR FILING _____
			DENIED _____
			AMENDED _____
			TRANSFERRED _____
			SUSPENDED _____
			CANCELED _____
			SET FOR HEARING _____
			ADVISED _____
			CARRIED OVER _____
			RECORDED BY <u>SCHMIEDING</u>